

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

CARLTON WIGGIN,)	
)	
PLAINTIFF)	
)	
v.)	CIVIL No. 1:13-cv-409-DBH
)	
TOWN OF SEARSPORT,)	
)	
DEFENDANT)	

**ORDER AFFIRMING RECOMMENDED DECISION
OF THE MAGISTRATE JUDGE**

On October 31, 2014, the United States Magistrate Judge filed with the court, with copies to counsel, his Recommended Decision on the Defendant's Motion for Summary Judgment. The defendant filed an objection to the Recommended Decision on November 17, 2014. I have reviewed and considered the Recommended Decision, together with the entire record; I have made a *de novo* determination of all matters adjudicated by the Recommended Decision; and I concur with the recommendations of the United States Magistrate Judge for the reasons set forth in the Recommended Decision, and determine that no further proceeding is necessary.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. The defendant's motion for summary judgment is **GRANTED IN PART** and **DENIED IN PART**. Judgment is entered in favor of the defendant on the plaintiff's claims arising out of defendant's entry onto and

search of the plaintiff's property, and arising out of the defendant's seizure of the personal property identified in the warrant by which the search was conducted. The motion is otherwise **DENIED** with the understanding that the plaintiff's remaining claim consists of the plaintiff's contention that the defendant improperly seized the generator.

SO ORDERED.

DATED THIS 5TH DAY OF DECEMBER, 2014

/s/D. BROCK HORNBY
D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE